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February 14, 1995

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IFEB 14 1995

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: FCC PR Docket No. 92-235;
Notice of Proposed Rule Making to
Refarm Land Mobile Radio Spectrum
Below 512 MHz;
Atlantic Richfield Company
Ex Parte Presentation

Dear Mr. Caton:

Pursuant to Section 1.1206(a)(2) of the Commission's rules, as adopted in the Report and Order in Gen. Docket No. 86-225, 2 FCC Rcd. 3011 (1987), enclosed are copies of the position paper distributed by the Atlantic Richfield Company in ex parte meetings held today, February 14, 1995 concerning the above-captioned proceeding. We are providing this material on behalf of our clients, Mr. Anthony Caldera and Mr. Greg True of the Atlantic Richfield Company who, along with myself of this firm, attended separate meetings with, respectively:

1. Kathryn Hosford, Wireless Telecommunications Bureau;
2. Ruth Milkman, Office of Chairman Reed E. Hundt;
3. David Siddall, Office of Commissioner Susan Ness; and
4. Jill Luckett, Office of Commissioner Rachelle B. Chong.

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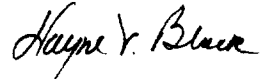
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Mr. William F. Caton
February 14, 1995
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Kindly place this material in the public file. Should you have any comments or questions, please do not hesitate to contact the undersigned.

Cordially yours,

A handwritten signature in cursive script, appearing to read "Wayne V. Black".

Wayne V. Black

Attorney for
Atlantic Richfield Company

Enclosure

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FEB 14 1995

ATLANTIC RICHFIELD COMPANY (ARCO)

FCC PR DOCKET NO. 92-235

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

ISSUES

- UHF 12.5 kHz low power offset channels used at ARCO's Los Angeles Refinery insure the continued safe operation of the facility.
- Existing UHF 12.5 kHz low power offset licensees must be afforded an opportunity to secure primary status and receive protection from new high power stations during the transition period.
- ARCO is concerned that an enormous financial burden will be placed on private radio users if the migration planned is based on a scheme of planned obsolescence.
- The Commission should adopt a policy that forces early very narrowband (6.25 kHz) equipment innovation so as to permit users to make a single transition to very narrowband technology.
- ARCO acknowledges the progress already made to facilitate the migration to narrowband frequencies by allowing users to keep their centerline frequency.

Background for Key Points for FCC Refarming

Safe Operation of the Los Angeles Refinery.

ARCO's Los Angeles Refinery covers 640 acres. The refinery operates a radio system, which provides critical communication between units, on twenty-two secondary channels in the 450 MHz band. All of these channels are allocated to services other than the Petroleum Radio Service.

The twenty-two radio channels are used to communicate critical simultaneous instructions to the 450 employees who conduct field operations which require tight coordination and synchronized timing for safe and efficient operation of the refinery. If this vital communication link were to be impaired, both plant personnel and the surrounding community would have increased exposure to the potential of fires, toxic releases, spills, etc. Furthermore, during the infrequent occurrences of these incidents, the immediate response provided by radio communication is extremely important to the safety of plant personnel and the community.

Granting Primary Status to Secondary Users.

Existing UHF 12.5 kHz low power offset licensees must be afforded an opportunity to secure primary status and receive protection from new high power stations during the transition to narrow band equipment.

Reasonable Migration to Narrow Band Frequencies.

ARCO is concerned about the process that will be used to migrate from 25 kHz. We feel very strongly that a one step migration to very narrow band frequencies would be the most cost efficient. It will be very difficult for users to plan for future capital expenditures when the technology for very narrow band radio is not fixed. Manufacturers would be able to develop equipment in the time frames mandated to make this possible. The one step migration will be very difficult and will require the full cooperation of FCC, manufacturers, and users to accomplish.

ARCO does not endorse the concept of planned obsolescence. Our experience with the radio equipment purchase to date is that the life goes well beyond the 8 to 10 years stated by the manufacturers. ARCO realizes that a large investment is needed to comply with regulations. Having a single transition to the very narrow band frequencies will place an equal burden on the users and manufacturers. Removing the intermediate step will allow the manufacturers to focus all of their RD efforts into developing the technology needed by the users to comply with the regulations.

A key component to graceful transition is allowing current licensees to retain the center frequency throughout the

transition period. ARCO acknowledges the efforts made by the Commission to facilitate the transition by allowing users to retain the center frequency.

Conclusion

We understand the need for adding frequencies through refarming. ARCO believes planned obsolescence, which the FCC proposal would require are unnecessary and inappropriate. Rather, we strongly recommend a single move to the 6.25 kHz bandwidth, with effective coordination, and with an appropriate phase-in period for both business users and technology developers. We further recommend that frequency refarming below 512 MHz and related new equipment requirements be limited to the U.S. geographical areas with congested communications.